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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/658,712	09/11/2000	Peter Heiler	A-2528	4157

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EXAMINER	
CRENSHAW, MARVIN P	

ART UNIT	PAPER NUMBER
2854	

DATE MAILED: 04/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/658,712	HEILER ET AL.	
	Examiner	Art Unit	
	Marvin P. Crenshaw	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *the amendment filed on 02/02/2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 - 3, 5 - 14 and 17 - 22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 - 3, 5 - 14 and 17 - 22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 September 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Shiba et al.

With respect to claim 1 and 10, Shiba et al. teaches that it is known from Japanese Patent 63-091247 to have a rotatable body (Fig. 1, 1) for printing machines having rollers comprising a circumferential surface provided with a surface structure (See col. 2, lines 6 - 10) and formed of a nonmetallic material (See col. 2, lines 6 - 10), said circumferential surface carrying a liquid (See col. 1, lines 30 – 38) and being a ductor roller for periodically contacting another roller of the rollers, said surface structure being irregularly structured (See col. 2, lines 6 - 10).

With respect to claim 5, Shiba et al. teaches the nonmetallic material (See Col.2, lines 6 - 10) is selected from the group of materials consisting of hard rubber and hard plastic material.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3 and 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shiba et al. in view of Guaraldi et al.

With respect to claim 3, Shiba et al. discloses the claimed invention except Shiba et al. does not teach the roller is a slip roller.

Guaraldi et al. teaches a printing machine wherein said roller is said slip roller (16) and during printing, said roller is in permanent engagement (Fig. 1) with two other rollers (12 and 20).

It would have been obvious to modify Shiba et al. to have the roller as a slip roller as taught by Guaraldi et al. to provide an effective means for supplying fluid to the printing press.

Claims 2 and 11- 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiba et al. in view of Fischer (4,148,256).

With respect to claims 2 and 11-14, Shiba et al. teaches all that is claimed, as discussed in the above rejection of claims 1, 5 and 10, except a rotatable body having a circumferential surface for carrying a viscid liquid, offset printing ink, a printing-ink emulsion and a dampening-solution.

Fischer teaches a rotatable body having a circumferential surface for carrying a viscid liquid, offset printing ink, a printing-ink emulsion and a dampening-solution (See col. 3, lines 57 - 63).

It would have been obvious to modify Shiba et al. to have a rotatable body having a circumferential surface for carrying a viscid liquid, offset printing ink, a printing-ink emulsion and a dampening-solution as taught by Fischer et al. to provide an efficient means for regulating the amount of emulsion liquid in the printing application.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiba et al. in view of in view of Buchwald.

With respect to claim 7, Shiba et al. teaches all that is claimed, as discussed in the above rejection of claims1, 5 and 10, except the surface being formed of slats.

Buchwald teaches the surface structure is formed of a helical groove (See col. 3, lines 13 - 18). With respect to Buchwald, It would be obvious to one of ordinary skill in the art that his helical structure is considered as slats since it is an effective means for transferring liquid.

It would have been obvious to modify Shiba et al. to have the surface formed as slats as taught by Buchwald to provide an effective means for eliminating water and ink ghosting problems that arise in the printing process.

With respect to claim 8, to provide the printing machine where the slats having an arithmetical average height of the surface structure is at least 12

microns is merely an obvious design choice for controlling the amount of liquid to be transferred to the other rollers during printing that could have readily been determined by one of ordinary skill in the art.

Claims 6, 9 and 17, 18, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiba et al. in view of Klingler et al.

With respect to claim 6, Shiba et al. does not teach a surface structure is made of dimples.

Klingler et al. teaches a surface structure that is made up of a multiplicity of dimples (See Col. 1, lines 30 - 35) formed in the circumferential surface.

It would have been obvious to modify Shiba et al. to have a surface structure is made up of a multiplicity of dimples as taught by Klingler et al. to evenly distribute the liquid to the printing plate.

With respect to claim 9, Shiba et al. teaches the nonmetallic material (See Col.2, lines 6 - 10) is selected from the group of materials consisting of rubber and plastic material.

With respect to claim 17 and 20, Shiba et al. teaches that it is known from Japanese Patent 63-091247 a rotatable body (Fig. 1, 1) for printing machines having rollers comprising a circumferential surface provided with a surface structure (See col. 2, lines 6 - 10) and formed of a nonmetallic material (See col. 2, lines 6 - 10), said circumferential surface carrying a liquid (See col. 1, lines 30 – 38) and being a ductor roller for periodically contacting another roller of the

rollers, said surface structure being irregularly structured (See col. 2, lines 6 - 10).

However, Shiba et al does not teach a rotatable body having a surface structure having a multiplicity of dimples formed in the circumferential surface.

Klingler et al. teaches a rotatable body (Fig. 1, 1) having a surface structure consisting of a multiplicity of dimples (See col. 1, lines 30 – 34) formed in the circumferential surface.

It would have been obvious to modify Shiba et al. to have a rotatable body having a surface structure selected from one of the group consisting of a multiplicity of dimples formed in the circumferential surface as taught by Klingler to provide an efficient means for transferring the liquid to the printing plate to prevent ghosting.

With respect to claim 18 and 21, Shiba et al. teaches a rotatable body (Fig. 1) wherein the nonmetallic material (See Col.2, lines 6 - 10 is a material selected from the group consisting of soft rubber, soft plastic material, hard rubber, and hard plastic material.

Claims 19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiba et al. in view of Klingler et al and further in view of Fischer (4,148,256).

With respect to claim 19 and 22, However, Shiba et al. as modified by Klingler does not teach a rotatable body wherein the circumferential surface carries a material selected from the group consisting of a viscid liquid and a dampening solution emulsion

Fischer teaches a rotatable body having a circumferential surface for carrying a viscid liquid, offset printing ink, a printing-ink emulsion and a dampening-solution (See col. 3, lines 57 - 63).

It would have been obvious to further modify Shiba et al. to have a rotatable body having a circumferential surface for carrying a viscid liquid, offset printing ink, a printing-ink emulsion and a dampening-solution as taught by Fischer et al. to provide an efficient means for regulating the amount of emulsion liquid in the printing application.

Response to Arguments

Applicant's arguments filed February 02, 2006 have been fully considered but they are not persuasive. Shiba et al. teaches a rotatable ductor roller having an irregular surface structure and the surface is for carrying a liquid. And Shiba et al. ductor roller has the capabilities of periodically contacting another roller. Also, Guaraldi et al. has been added to teach a slip roller. Also, Klingler et al. has been added to teach the use of having a ductor roller for carrying ink and having dimples.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is

filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marvin P. Crenshaw whose telephone number is (571) 272-2158. The examiner can normally be reached on Monday - Thursday 7:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MPC
April 11, 2005

Daniel J. Colilla
Primary Examiner
Art Unit 2854